

APPENDIX

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SANDRA K. RICHARDSON, DOUGLAS CLARK
and CAROLINE GOSSER

Appeal No. 2005-1642
Application No. 09/536,383

ON BRIEF

Before HAIRSTON, KRASS, and GROSS, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1, 6 through 8, 10 through 12 and 18.

The disclosed invention relates to a method and apparatus for monitoring and managing a project.

Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A method for monitoring and managing a project, comprising the steps of:

breaking a current project into a plurality of tasks, wherein the performance of each task is tracked on the basis of at least one task related event;

setting a tasking horizon based on a predetermined time interval;

associating at least two verbs with said at least one task related event for each of said plurality of tasks;

receiving a respective predicted date for at least one task related event;

receiving a corresponding actual date for each task related event for which a predicted date was received;

for each actual date received, receiving a verb associated with the respective task related event, said received verb being one of said at least two verbs; and

tracking the performance of said project in real time based at least in part on the predicted dates, actual dates and verbs received for each of said task related events.

The reference relied on by the examiner is:

William R. Duncan (Duncan), A Guide to the Project Management Body of Knowledge, PMI Standards Committee, Project Management Institute (1996).

Claims 1, 6 through 8, 10 through 12 and 18 stand rejected under 35 U.S.C.

§ 102(b) as being anticipated by Duncan.

Reference is made to the corrected brief¹ and the answer² for the respective positions of the appellants and the examiner.

¹ Filed January 6, 2005.

² Mailed November 25, 2003.

OPINION

We have carefully considered the entire record before us, and we will reverse the anticipation rejection of claims 1, 6 though 8, 10 through 12 and 18.

Anticipation is established when a single prior art reference discloses, expressly or under the principles of inherency, each and every element of the claimed invention. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

Appellants argue inter alia (brief, pages 7 through 12) that Duncan fails to disclose setting a task horizon based on a predetermined time interval, and associating at least two verbs with at least one of the plurality of tasks. The examiner is of the opinion (answer, pages 3 and 4) that the setting of a task horizon is met by the "target finish date determination and schedule development" teachings of Duncan (pages 30 through 32, paragraph 3.3.2; page 170), and that the associating at "least two verbs" with at least one of a plurality of tasks is met by "lessons learned" (page 46, paragraph 4.3.3.3). In response to appellants' arguments, the examiner further indicates (answer, page 7) that a task horizon is "the duration of time included in the planned time span defined by all of the start and stop dates for all of the tasks of a project or activity," and that Duncan discloses a Glossary of terms (page 157) that encompasses presenting "verbs (and other terms) used during the various stages of an activity or project."

Turning to the appellants' disclosure for an understanding of the term "tasking horizon," we find that "tasking horizon" is defined as "a realistic planning window that corresponds to the length of time most employees can plan their work" (specification, page 6), "[t]he farthest point in time in the future where a manager believes a task will be completed as planned" (specification, page 8), and "a realistic window of time over which tasks can be scheduled" (specification, page 11). In other words, a tasking horizon is a period of time to schedule/complete a task or tasks. Although the referenced portions of the Duncan publication disclose a time span based on targeted start and stop dates for a task, the scheduled time period in Duncan may not necessarily be a realistic period or length of time needed to complete a task.

Turning to the term "verb," the disclosure states (specification, page 12) that:

Verbs are designed to capture the types of dialogue that a worker would use to explain why a task was or was not started and/or completed as planned. Verbs may be assigned for all tasks on a project or may change from task to task. By requiring the employee to select a verb, the employee/employer dialogue is standardized so that it is capable of analysis.

Although the Duncan publication documents the reasoning behind corrective actions taken to keep a record of lessons learned for a historical database (paragraph 4.3.3.3, page 46), and presents a glossary of terms that are used during project management (page 157), Duncan never associates/assigns "at least two verbs" for at least one of the plurality of tasks as set forth in the claims on appeal.

Thus, the anticipation rejection of claims 1, 6 through 8, 10 through 12 and 18 is reversed because the Duncan publication does not disclose each and every step or element of the claimed invention.

DECISION

The decision of the examiner rejecting claims 1, 6 through 8, 10 through 12 and 18 under 35 U.S.C. § 102(b) is reversed.

REVERSED



KENNETH W. HAIRSTON
Administrative Patent Judge



ERRROL KRASS
Administrative Patent Judge



ANITA PELLMAN GROSS
Administrative Patent Judge

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